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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
TOKYO, JAPAN

August 10, 1993

BY HAND

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Compatibility Between Cable Systems and
Consumer Electronics Equipment
ET Docket No. 93-7

Dear Mr. Caton:

Please find attached on behalf of the National Association of Telecommunications Officers and Advisors, et. al, an original and eleven copies of the Comments of the National Association of Telecommunications Officers and Advisors, et. al, in the above-referenced proceeding.

Any questions regarding the submission should be referred to the undersigned.

Sincerely,



Bruce A. Henoch

Attachment

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AUG 10 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Implementation of Section 17)
of the Cable Television)
Consumer Protection and)
Competition Act of 1992)

ET Docket No. 93-7

Compatibility Between Cable)
Systems and Consumer Electronics)
Equipment)

TO: The Commission

COMMENTS OF THE
NATIONAL ASSOCIATION OF TELECOMMUNICATIONS
OFFICERS AND ADVISORS, THE NATIONAL
LEAGUE OF CITIES, THE UNITED STATES
CONFERENCE OF MAYORS, AND THE NATIONAL
ASSOCIATION OF COUNTIES

The National Association of Telecommunications
Officers and Advisors, the National League of Cities, the
United States Conference of Mayors, and the National
Association of Counties (collectively, the "Local
Governments") submit these Comments in the above-captioned
proceeding.

I. INTRODUCTION

On July 26, 1993, the Federal Communications
Commission ("Commission") issued a Public Notice in this
proceeding soliciting comment on the July 21, 1993,
Supplemental Comments filed by the Cable-Consumer

Electronics Compatibility Advisory Group, a self-selected group consisting of representatives of the cable and consumer electronics industries.¹ The Supplemental Comments purport to identify a number of short- and long-term measures that can be implemented to address issues of compatibility between cable systems and consumer electronics equipment.

While the Local Governments are still studying the proposals set forth in the Supplemental Comments for technical, economic, and legal feasibility and desirability, they feel it is important in these Comments to emphasize several key points. First, it is important that the Commission not simply accept the conclusions of the advisory group without considering the interests of all other parties. Second, the Commission should itself establish a permanent working group to study these issues that includes not only members of the two industries, but also representatives of governmental and consumer groups.

¹ Supplemental Comments of the Cable-Consumer Electronics Compatibility Advisory Group, filed July 21, 1993 ("Supplemental Comments").

II. DISCUSSION

A. The Commission Should Not Accept the Conclusions of the Advisory Group Without Careful Consideration of All Parties' Interests.

It is important for the Commission to note that the Cable-Consumer Electronics Compatibility Advisory Group ("CCECAG") is not an officially-appointed entity. CCECAG is a group that has been formed by representatives of the cable television and consumer electronics industries, without representatives of the federal government, local franchising authorities, or any consumer groups or organizations.

Local Governments believe, therefore, that the Commission should be extremely cautious in entertaining the CCECAG proposals. Congress in enacting section 624A was concerned about the impact of consumer electronics compatibility on consumers.² Yet, the CCECAG comments do not reflect the input of any consumer representatives; while the FCC is now allowing an opportunity for public comment, such a process is not equivalent to a consensus on equipment compatibility derived from a broad-based working

² Section 624A(b)(1) requires the Commission to report to Congress on means or assuring compatibility "so that cable subscribers will be able to enjoy the full benefit of both the programming available on cable systems and the functions available on their televisions and video cassette recorders." Section 624A(c)(1) states that the Commission, in prescribing regulations, shall consider "the costs and benefits to consumers of imposing compatibility requirements" (emphasis added).

group. Thus, the Commission should consider the CCECAG proposals along with the comments of all other interested parties, but should not give any special weight to CCECAG's conclusions.

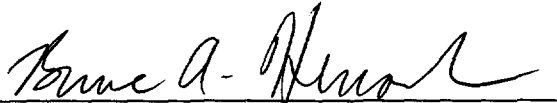
B. The Commission Should Establish a Permanent Working Group Which Includes Representatives of All Interested Parties.

Because any self-formed group such as CCECAG that does not include representatives of all interested parties naturally tends to be biased toward the interests of its members, the Commission should, on its own, establish a working group to study compatibility issues that includes representatives of all interested parties. The Local Governments have recommended that this group include representatives of the cable and consumer electronics industry as well as representatives of consumer groups, the federal government and local franchising authorities. Unlike groups such as CCECAG, this type of Commission-formed working group could be counted upon to deliver recommendations that would assure compatibility between cable systems and consumer electronics while ensuring that the interests of all parties are protected. It bears noting that the longstanding working group of the NCTA and the Electronics Industries Association was unable to reach solutions that might have averted the consumer problems leading to section 624A.

III. CONCLUSION

Local Governments believe that it is important to consider that, with regard to cable-consumer electronics compatibility, the end user of any technology is the consumer. Thus, the Commission should be wary of giving too much weight to the comments of a group such as CCECAG, which takes into consideration only the narrow interests of its own limited members. The Commission should form a balanced group to study these issues that will present solutions that address the concerns and interests of all parties.

Respectfully submitted,



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Date: August 10, 1993